

THE HONORABLE JOHN H. CHUN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

AMAZON.COM, INC., a corporation,

Defendant.

CASE NO.: 2:23-cv-01495-JHC

**[PROPOSED] BIFURCATION
ORDER**

Plaintiffs have moved to bifurcate the proceedings to conduct separate proceedings on liability and, if necessary, remedy.

Rule 42(b) of the Federal Rules of Civil Procedure authorizes a court to conduct separate proceedings on separate issues “[f]or convenience, to avoid prejudice, or to expedite and economize.” Having duly considered Plaintiffs’ motion and Amazon’s opposition, the Court finds that holding separate proceedings on liability and remedies will be more convenient for the Court and the Parties and will expedite and economize this litigation.

IT IS THEREFORE ORDERED:

1. The bench trial identified in the Case Scheduling Order (Dkt. #159) will address only Amazon’s liability under the FTC Act, Sherman Act, and the state laws implicated by Plaintiffs’ Complaint.

2. If the Court renders a decision finding Amazon liable, the Court will schedule a conference to address how to proceed on remedies.

3. Nothing in this Order shall (a) alter the Parties' respective abilities to offer evidence relevant to Amazon's liability at trial nor alter the burden of proof, persuasion, or production to establish each and every element of liability, justifications, or defenses, or (b) limit the scope of fact discovery in this case.

Dated this ____ day of _____, 2024

THE HONORABLE JOHN H. CHUN
UNITED STATES DISTRICT JUDGE

Presented by:

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